

FILED: April 17, 2013

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,

v.

WILLIAM J. K. AKIM,
Defendant-Appellant.

Polk County Circuit Court
12P3084

A152682

Norman R. Hill, Judge.

Submitted on March 01, 2013.

Jason E. Thompson and Ferder Casebeer French & Thompson, LLP, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Patrick M. Ebbett, Assistant Attorney General, filed the brief for respondent.

Before Ortega, Presiding Judge, and Sercombe, Judge, and Hadlock, Judge.

PER CURIAM

Reversed and remanded for entry of a corrected judgment deleting the \$500 assessments on each conviction; otherwise affirmed.

1 PER CURIAM

2 Defendant was convicted of fourth-degree assault, ORS 163.160, and
3 harassment, ORS 166.065. On appeal, he asserts that the trial court erred in imposing
4 two \$500 unitary assessments on those convictions because the statute that provided for
5 those assessments was repealed effective January 1, 2012. *See former ORS*
6 *137.290(2)(b) (2009), repealed by Or Laws 2011, ch 597, § 118; Or Laws 2012, ch 89, §*
7 *1. The state agrees that the trial court erred in imposing the assessments because "no*
8 *current statutory provision that applies to [defendant's] fourth-degree assault and*
9 *harassment convictions authorizes imposition of such an assessment." We agree and*
10 *accept the state's concession. Accordingly, the case must be remanded for the trial court*
11 *to enter a corrected judgment.*

12 Reversed and remanded for entry of a corrected judgment deleting the \$500
13 assessments on each conviction; otherwise affirmed.